

Court Denies Move to Stop Kinoy Trial

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WPesJ

The chief attorney for Arthur Kinoy, the diminutive lawyer who was the center of a major outbreak at a House Un-American Activities Committee hearing Wednesday, charged in court yesterday that his client was "arrested for doing nothing more than making a motion in defense of his client."

William Kunstler, one of a battery of civil liberties lawyers who appeared in General Sessions Court to defend Kinoy on the charge of disorderly conduct, said there is "absolutely no proof that he was engaging in anything but a legal argument."

With that, Kunstler asked Judge Harold Greene to dismiss the charge. The motion was denied and the trial was recessed until this morning.

Five U.S. deputy marshals testified that they had removed Kinoy from the stormy hearing on the activities of anti-Vietnam demonstrators on orders from Rep. Joe Pool, (D-Tex.), who was presiding.

But one said that they moved in on Kinoy after the first order from Pool and another that it was after the third order.

Then Townsend D. Bird, another marshal, acknowledged under cross examination by Kunstler, that they were "already moving" when Pool's order came.

The marshals all said that Kinoy kicked and flailed all the way out of the Caucus Room of The Cannon House Office Building.

Defense witness Jeremiah Gutman said that was because Kinoy's "face was discolored and he was attempting to shout. I could see his face was discolored and his voice was hoarse."